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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,773	05/21/2001	David M. Schnauffer	197/40	9000
7590	12/14/2004		EXAMINER	
Adams, Schwartz & Evans, P.A. 2180 Two First Union Center Charlotte, NC 28282			ZEADE, BERTRAND	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 09/862,773	Applicant(s) SCHNAUFER ET AL.	
	Examiner Bertrand Zeade	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-28,31-39,42 and 43 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-28,31-39,42 and 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 22-28, 31-39, 42-43 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 22-23, 27, 32-34, 38, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruce Industries, INC. (TM 10-5410229-13&P) in view of Aldissi (U.S. 5262592).

Regarding claim 22 as shown in (figs. Page 15-21) Bruce Industries INC. discloses, a bulb comprising an elongated bulb tube, an electromagnetic interference emissions containment housing located adjacent to the bulb, an electronic ballast located within the emissions containment housing and operatively connected to the bulb, an electromagnetic interference emissions filter operatively connected to the electronic ballast, a power supply cord adapted for being connected to a power source to supply electrical power to the work light, the power supply cord extending from a first end of the containment housing through the length of the containment housing to a second end of the containment housing, and whereby the cumulative effect of the containment housing, electromagnetic emissions filter results in a light meeting

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applicable military requirements for control of EMI emissions for lights having electronic ballasts.

Regarding claim 23 as shown in (fig. on page 15), a tubular, light-transmitting bulb shield surrounding the bulb tube to protect the bulb from damage.

Regarding claim 27 as shown in (fig. on page 18), a switch opening formed in the emissions containment housing to accommodate a ballast activation switch.

Regarding claim 32 as shown in (figs. on pages 15-21), an elongated pull strip releasably attached to the bulb for removing the bulb a from the work tight for replacement.

Regarding claim 33 as shown in (fig. on page 15-21), a bulb comprising an elongated bulb tube, an electromagnetic interference emissions containment housing located adjacent to the bulb, an electronic ballast located within the emissions containment housing and operatively connected to the bulb, and an electromagnetic interference emissions filter operatively connected to the electronic ballast, whereby the emissions filter and emissions containment housing cooperate to reduce electromagnetic interference emissions generated by the work light, a power supply cord adapted for being connected to a cower source to supply electrical power to the work light.

Regarding claim 34 as shown in (fig. on page 15), a tubular light-transmitting bulb shield surrounding the bulb tube to protect the bulb from damage.

Regarding claim 38 as shown in (fig. on page 18), a switch opening formed in the emissions containment housing to accommodate a ballast activation switch.

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Regarding claim 43 as shown in (fig. on page 15), an elongated pull strip releasably attached to said bulb for removing said bulb from said work light for replacement.

Bruce Industries INC (TM 10-5410229-13&P) does not disclose an electromagnetic emissions filter and a power cord sheath.

However Aldissi ('592) discloses a filter line cable featuring conductive fiber shielding having a power cord sheath as applied to claims 22 and 33 above, see abstract of Aldissi ('592).

It would have been obvious to one of ordinary skill in the art at the time invention was made to utilize the repair light set of Bruce Industries INC. with the electromagnetic emissions filter and power cord sheath disclosed by Aldissi ('592), since the power cord sheath of Aldissi ('592) would provide an EMI shielding jacket of Bruce Industries INC. having a sheath over, a generally elongate object of a given outer member that includes the advantages to provision both electromagnetic emissions filter and cord having sheath.

Claims 24-26 and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruce Industries INC. (TM 10-5410229-13&P) in view of Aldissi ('592) as applied to claims 23, 34 above, and further in view of Hesprich (U.S.5564821).

Bruce Industries INC. (TM 10-5410229-13&P) in view of Aldissi ('592) disclosed the claimed invention except for shock absorbing plug.

However, Hesprich ('821) discloses a shock absorbing bulb socket for hand-held light having:

Regarding claim 24 as shown in (figs. 1-2) of Hesprich ('821), a cylindrical shock-absorbing plug (12) the bulb (15) from damage.

Regarding claim 25, as shown in (figs. 2,3,8) of Hesprich ('821), the plug includes an interior web for being gripped to remove the plug from the bulb shield (16).

Regarding claim 26 as shown in (fig. 1-2) of Hesprich ('821), a shock-absorbing (12) end cap (14) positioned over an end of the bulb shield (12).

Regarding claim 35 as shown in (figs. 1-2,7) of Hesprich ('821), a cylindrical shock-absorbing plug positioned within the bulb shield (12) and engaging a free end (14) of the bulb tube to further protect the bulb (15) from damage.

Regarding claim 36 as shown in (fig. 1-2,7) of Hesprich ('821), the plug (31) includes an interior web for being gripped to remove the plug (31) from the bulb shield (12).

Regarding claim 37 as shown in (fig. 1-2) of Hesprich ('821), a shock absorbing end cap (14) positioned over an end of the bulb shield (12).

It would have been obvious to one of ordinary skill in the art at the time invention was made to utilize the repair light set of Bruce Industries, INC (TM 10-5410229-13&P) in view of Aldissi ('592) with the shock absorbing plug disclosed by Hesprich ('821), in order to provide a lighting system including a connecting means having a shock-absorbing bulb socket which is interposed between other means and the bulb, so that

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the socket engages the inner wall of the bulb shield at the first end thereof for protecting the bulb from impact damage.

3. Claims 28, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruce Industries, INC. (TM 10-5410229-13&P) in view of Aldissi ('592) as applied to claims 22, 33 above, and further in view of M. R. Barnes (U.S.002233280).

4. Bruce Industries, INC. (TM 10-5410229-13&P) in view of Aldissi ('592) disclose the claimed invention except for a removable color filter.

5. However, Barnes ('280) discloses a picture illuminating device having:

Regarding claim 28 as shown in (figs. 9) of Barnes, a removable color filter (40) positioned over the bulb (12) shield to filter light emitted by the bulb (12).

Regarding claim 39 as shown in (fig. 9) of Barnes, a removable color filter (40) positioned over the bulb (12) shield to filter light emitted by the bulb (12).

It would have been obvious to one of ordinary skill in the art at the time invention was made to use the repair light set of Bruce Industries, INC (TM 10-5410229-13&P) in view of Aldissi ('592) with the removable color filter taught by Barnes ('280), in order to provide a lighting device having a color filter which enhances the versatility and use of the work light to perform task under different conditions by changing the filter, because the removable color filter are composed of color glass or other suitable color-filtering material.

Claims 31, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruce Industries INC. (TM 10-5410229-13&P) in view of Aldissi ('592) as applied to claims 22, 33 above, and further in view of Crates (U.S.004945461).

Bruce Industries INC. (TM 10-5410229-13&P) in view of Aldissi ('592) disclose the claimed invention except for a reflector.

However, Crates ('461) discloses a portable work light with replaceable scuff guard having:

Regarding claim 31 as shown in (figs. 1-3) of Crates ('461), a light reflector (24) located adjacent the bulb tube (11) for enhancing illumination of the bulb (11).

Regarding claim 42 as shown in (fig.) of Crates ('461), a light reflector (24) located adjacent the bulb tube (11) for enhancing illumination of the bulb (11).

It would have been obvious to one of ordinary skill in the art at the time invention was made to utilize the repair light set of Bruce Industries, INC (TM 10-5410229-13&P) in view of Aldissi ('592) with the reflector taught by Crates ('461) for the benefit and advantage to provide a lighting device having a reflective sheet that is positioned intermediate the light bulb and the shield, to reflect light from the side of the shield through the other side, in order to shield the operator's eyes from the light, and to direct the light in a desired direction.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bertrand Zeade whose telephone number is 571-272-2387. The examiner can normally be reached on 9:30 AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit 2875



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